

PROCEEDINGS OF THE WAUKESHA COUNTY BOARD OF SUPERVISORS
Tuesday, December 14, 2004 - 9:00 a.m.

Chairman Dwyer called the meeting to order.

Roll Call: Nilson, Singert, Gundrum, Pavelko, Mitchell, Seitz, Marchese, Thelen, Swan, Kramer, Kipp, Griffin, Tortomasi, Wolff, Haukohl, Carlson, Herro, Bruce, Jeskewitz, Stroud, Kolb, Manke, B. Morris, Kallin, Cummings, Behrend, Dwyer, J. Morris, Bullermann, Jaske, Paulson, Harenda and Klein

Supervisors Broesch and Stamsta notified the Chairman they would be absent.

Robert M. Dugan spoke to the Board on the water in Waukesha County.

The County Clerk announced the County Executive signed all ordinances from the previous Board meeting. All Supervisors received notice of one claim filed.

Supervisor Swan moved to approve the minutes from the November 23, 2004 County Board meeting. Supervisor Carlson seconded the motion.

Supervisor Haukohl moved to amend Page 2 of the minutes as follows:

The “no” votes for Ordinance 159-O-076 should read Kallin, Kolb, Carlson, Seitz, Pavelko, Gundrum, Singert and Nilson

The minutes were adopted as amended by a voice vote unanimously.

Ordinance 159-O-079 was presented for action. (Amend the District Zoning Map of the Town of Brookfield Zoning Ordinance by Conditionally Rezoning Certain Lands Located in Part of the NW ¼ of Section 29, T7N, R20E, Town of Brookfield from the R-2 Residential and the C-1 Conservancy Districts to the R-3 Residential and C-1 Conservancy Districts (County) and from the Rs-3 Single Family Residential and C-1 Conservancy Districts to the RM-2 Multi-Family Residential District with a PUD Overlay District and C-1 Conservancy District (Town) (SZT-1526)

Supervisor Kolb moved to adopt Ordinance 159-O-079. Supervisor Jaske seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 159-O-080 was presented for action. (Amend the District Zoning Map of the Town of Summit Zoning Ordinance by Conditionally Rezoning Certain Lands Located in Part of the N ½ of the NE ¼ of Section 18, T7N, R17E, Town of Summit, from the A-1 Agricultural District to the R-1 Estate Residential District (ZT-1537))

Supervisor Kolb moved to adopt Ordinance 159-O-080. Supervisor Stroud seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Herro, Marchese, Jeskewitz, Haukohl, Swan, Behrend, Mitchell, Tortomasi, Cummings, Paulson, Bullermann, Stroud, Thelen, Carlson, Dwyer, Wolff, Griffin, Kallin, Manke, Kipp, Bruce, Kramer, Klein, Jaske, Nilson and Singert, twenty-six (26) in all voted “no”. The rest, seven (7) voted “aye”. The ordinance was defeated.

Resolution 159-R-013 was presented for action. (Amend the Regional Water Quality Management Plan for the City of Waukesha, Waukesha County, Wisconsin)

Supervisor Kolb moved to adopt Resolution 159-R-013. Supervisor Jeskewitz seconded the motion.

Supervisor Nilson left the room.

The Board was polled and thirty-two (32) votes were cast, all “aye”. The resolution was adopted.

Ordinance 159-O-081 was presented for action. (Ketterer Property Acquisition)

Supervisor Kolb moved to adopt Ordinance 159-O-081. Supervisor Bruce seconded the motion. The Board was polled and thirty-two (32) votes were cast. Supervisors Seitz, Gundrum and Singert, three (3) in all voted “no”. The rest, twenty-nine (29) voted “aye”. The ordinance was adopted.

Ordinance 159-O-082 was presented for action. (Parking Regulation – C.T.H. “K”)

Supervisor Manke moved to adopt Ordinance 159-O-082. Supervisor Swan seconded the motion.

Supervisor Nilson returned.

The Board was polled and thirty-three (33) votes were cast. Supervisor Seitz voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

Ordinance 159-O-092 was presented for action. (Accept General Aviation Airports Grant Award from Wisconsin Office of Justice Assistance for Security Related Projects and Protection of Critical Infrastructure)

Supervisor Manke moved to adopt Ordinance 159-O-092. Supervisor Singert seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Seitz voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

Ordinance 159-O-084 was presented for action. (Modify the 2004 Budget for Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Programs)

Supervisor Manke moved to adopt Ordinance 159-O-084. Supervisor Haukohl seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Singert voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

Ordinance 159-O-085 was presented for action. (Approve the Acceptance of Additional Disaster Recovery Initiative Grant Funds)

Supervisor Manke moved to adopt Ordinance 159-O-085. Supervisor Nilson seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 159-O-093 was presented for action. (Amend the Waukesha County Code to Include Provisions Pertaining to the Department Emergency Preparedness)

Supervisor Manke moved to adopt Ordinance 159-O-093. Supervisor Mitchell seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Supervisor Manke moved to confirm the appointments of Lawrence W. Weidmann to the Commission on Aging; Lyman B. Humphrey to the Commission on Aging; Nancy M. Pagels to the Commission on Aging and Miriam Behselich to the Commission on Aging. Supervisor B. Morris seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The appointments were confirmed.

Supervisor Manke moved to confirm the appointment of Richard Tuma as the Director of Emergency Preparedness. Supervisor Wolff seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The appointment was confirmed.

Ordinance 159-O-086 was presented for action. (Appropriate State of Wisconsin Funding in the Waukesha County Department of Health and Human Services Budget)

Supervisor Griffin moved to adopt Ordinance 159-O-086. Supervisor Kallin seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 159-O-087 was presented for action. (Appropriate Additional State of Wisconsin Division of Public Health Women, Infant and Children Nutrition Program Funding to the Department of Health and Human Services – Public Health Division 2004 Budget)

Supervisor Griffin moved to adopt Ordinance 159-O-087. Supervisor Jeskewitz seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 159-O-088 was presented for action. (Approve Intergovernmental Agreement for Waukesha County Communications Employees with City of Brookfield)

Supervisor Paulson moved to adopt Ordinance 159-O-088. Supervisor Thelen seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Ordinance 159-O-089 was presented for action. (Extension of Time Period for Retention Payments to Telecommunicators Transitioning to County Employment)

Supervisor Paulson moved to adopt Ordinance 159-O-089. Supervisor Wolff seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Supervisor B. Morris left the room.

Ordinance 159-O-090 was presented for action. (Approve Changes for Non-Represented Employees’ Salary and Benefits in 2005)

Supervisor Paulson moved to adopt Ordinance 159-O-090. Supervisor Bullermann seconded the motion. The Board was polled and thirty-two (32) votes were cast. Supervisors Kallin and Singert, two (2) in all voted “no”. The rest, thirty (30) voted “aye”. The ordinance was adopted.

Ordinance 159-O-091 was presented for action. (2005 Rates of Pay for Seasonal and Temporary Classifications)

Supervisor Paulson moved to adopt Ordinance 159-O-091. Supervisor Bruce seconded the motion.

Supervisor B. Morris returned.

The Board was polled and thirty-three (33) votes were cast. Supervisor Kallin voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

Chairman Dwyer declared a recess.

Supervisor Manke moved to go into closed session in accordance with Section 19.85 (1)(g) Wis. Stats. for the purpose of conferring with legal counsel concerning strategy to be adopted in litigation in which the County is involved: Dearth vs. Waukesha County.

Supervisor J. Morris seconded the motion.

The Board was polled and thirty-three (33) votes were cast, all “aye”.

With no objections Chairman Dwyer declared the closed session concluded and the Board returned to open session.

Ordinance 159-O-094 was presented for action. (Authorization to Pay Back Wages for Settlement Agreement in Dearth vs. Waukesha County Federal Lawsuit)

Supervisor Paulson moved to adopt Ordinance 159-O-094. Supervisor Behrend seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

Supervisor Marchese moved to adjourn to Tuesday, January 11, 2005 at 7:00 p.m. or at the call of the County Board Chair. Supervisor Kramer seconded the motion and it carried by a voice vote unanimously.

The Board adjourned at 10:35 a.m.

Respectfully submitted,

Kathy Nickolaus
Waukesha County Clerk